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## LICENSING SUB-COMMITTEE (REVISED AGENDA)

Meeting to be held on: 2 March 2021 AT 10.00A.M

Meeting to be held via: Microsoft Teams

Public access to meeting via: [https://youtu.be/4ZvRb0\\_Uvro](https://youtu.be/4ZvRb0_Uvro)

**MEMBERSHIP:** Councillor Samra  
Councillor Waters  
Councillor Ward

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Democratic Services, The Council House, Lichfield Street, Walsall, WS1 1TW  
Contact Name: **Matt Powis** -Telephone: (01922) **654764** - Fax: (01922) 654301  
[www.walsall.gov.uk](http://www.walsall.gov.uk)

**This meeting will be streamed on YouTube and the link will be on the Councils  
Committee Management Information Website**  
<https://cmispublic.walsall.gov.uk/cmis/Home.aspx>



# **A G E N D A**

## **PART I - PUBLIC SESSION**

1. Appointment of Chair
2. Welcome
3. Apologies
4. Declarations of Interest
5. Application for a review of club premises certificate under Section 87 of the Licensing Act 2003 – Walsall Wood Football & Social Club, Oak Park Football Ground, Lichfield Road, Walsall, WS9 9NP.

## **A G E N D A**

### **Part II: Private Session**

5. Application for a review of club premises certificate under Section 87 of the Licensing Act 2003 – Walsall Wood Football & Social Club, Oak Park Football Ground, Lichfield Road, Walsall, WS9 9NP. (Exempt information under Paragraphs 1 and 2 of Scheduled 12A of the Local Government Act 1972 (as amended)).

## **Schedule 12A to the Local Government Act, 1972 (as amended)**

### **Access to information: Exempt information**

#### **Part 1**

#### **Descriptions of exempt information: England**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
  - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
  - (a) Constitutes a trades secret;
  - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
  - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.



## The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

### Specified pecuniary interests

The pecuniary interests which are specified for the purposes of Chapter 7 of Part 1 of the Localism Act 2011 are the interests specified in the second column of the following:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by a member in carrying out duties as a member, or towards the election expenses of a member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Regulations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to a member's knowledge):</p> <p>(a) the landlord is the relevant authority;</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where:</p> <p>(a) that body (to a member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>b) either:</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>





**Information to accompany notice of hearing**

**Rights of a Party**

- Subject to Regulations 14(2) and 25 \*, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.
- At the hearing, a party shall be entitled to -
  - (a) in response to a point upon which the Authority has given notice to a party that it will want clarification, give further information in support of their application, representations or notice (as applicable);
  - (b) if given permission by the Authority, question any other party; and
  - (c) address the Authority.

(\* Regulation 14(2) states “The Licensing Authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.” Regulation 25 states “The Authority may require any person attending the hearing who, in their opinion, is behaving in a disruptive manner to leave the hearing and may -

- (a) refuse to permit that person to return; or
- (b) permit him to return only on such conditions as the Authority may specify.

but such person may, before the end of the hearing, submit to the Authority in writing any information which they would have been entitled to give orally had they not been required to leave”).

**Non-attendance of a party at the hearing**

- (1) If a party has informed the Authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
- (2) If a party who has not so indicated, fails to attend or be represented at a hearing, the Authority may -
  - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date; or
  - (b) hold the hearing in the party’s absence.

- (3) Where the Authority holds the hearing in the absence of a party, the Authority shall consider at the hearing the application, representations or notice made by that party.
- (4) Where the Authority adjourns the hearing to a specified date, it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

## **Procedure to be followed at the hearing**

- At the beginning of the hearing, the Authority shall explain to the parties the procedure that will be followed and shall consider any request by a party for permission for another person to appear at the hearing.
- The hearing will usually be conducted in public, although the Sub-Committee may exclude the public from all or part of a hearing where it is considered expedient.
- The hearing will take the form of a discussion led by the Authority and cross-examination will not normally be permitted unless the Authority considers that cross-examination is required for it to consider the representations, application, or notice, as the case may require.
- The hearing will proceed as follows:-
  1. The Chair to open the meeting, introducing Members and officers to all parties, members of the public, explain the nature of the application and the procedure to be followed.
  2. The applicant or their representative; relevant Authorities or their representatives; objectors or their representative to introduce themselves to the Sub-Committee.
  3. The Chair to ensure everyone has a full copy of documents for the hearing and to deal with any preliminary issues that may affect the hearing, for example, an application for an adjournment to consider fresh or late evidence.
  4. The Licensing Officer to tender a report to the Sub-Committee, outlining the application, any relevant representations and relevancies to the Local Authority licensing policy statement and statutory guidance.
  5. The Sub-Committee or other parties to seek points of clarification from the Licensing Officer on his report, if necessary.
  6. The responsible Authorities, or their representatives, to make relevant representations in relation to the application.
  7. The applicant and other interested parties to ask questions of the responsible Authorities in relation to their representations.
  8. Sub-Committee Members to ask relevant questions of the responsible Authorities in relation to their representations.
  9. Interested parties to be invited, if they wish to, to make relevant representations to the Sub-Committee.
  10. The applicant or person representing them to ask questions of the interested parties in relation to their representations.

11. Sub-Committee Members to ask relevant questions of the interested parties in relation to their representations.
12. The applicant, or their representative, to present their case to the Sub-Committee.
13. The responsible Authorities, or their representatives, to ask questions of the applicant.
14. The interested parties, or their representative, to ask questions of the applicant.
15. The Sub-Committee to ask questions of the applicant.
16. The Chair to invite any parties making representations, and the applicant, to briefly summarise their case, if they wish.
17. The Chair will check that the parties have said all that they wish to.
18. The Sub-Committee will then decide on the matter in private and all persons, except the legal advisor and the Committee administrator, will withdraw from the hearing.
19. All the parties will then be recalled and the decision of the Sub-Committee will be delivered, including any conditions placed on the licence (if granted) and the licensing objective that they relate to.

### **Determinations**

- In most cases, the Sub-Committee will make a determination at the conclusion of the hearing. In all cases, the determination will be in writing, giving reasons for the decision.
- The Sub-Committee will consider its final decision in private, accompanied by the Legal Officer and the Committee Clerk. Any legal advice given to Members of the Sub-Committee will be repeated by the Legal Officer to the parties when the decision is announced publicly.

**Action following receipt of notice of hearing**

- (1) A party shall give to the Authority, within the period of time provided for in the following provisions of this Regulation, a notice stating -
  - (a) whether he intends to attend or be represented at the hearing;
  - (b) whether he considers a hearing to be unnecessary.
- (2) In a case where a party wishes any other person (other than the person he intends to represent him at the hearing) to appear at the hearing, the notice referred to in Paragraph (1) shall contain a request for permission for such other person to appear at the hearing accompanied by details of the name of that person and a brief description of the point or points on which that person may be able to assist the Authority in relation to the application, representations or notice of the party making the request.
- (3) In the case of a hearing under -
  - (a) Section 48(3)(a) (cancellation of interim authority notice following police objection); or
  - (b) Section 105(2)(a) (counter notice following police objection to temporary event notice),

the party shall give the notice no later than one working day before the day or the first day on which the hearing is to be held.
- (4) In the case of a hearing under -
  - (a) Section 167(5)(a) (review of Premises Licence following Closure Order);
  - (b) Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence);
  - (c) Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing Club Certificate); or
  - (d) Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of Justices Licence for grant of Personal Licence),

the party shall give the notice no later than two working days before the day or the first day on which the hearing is to be held.
- (5) In any other case, the party shall give the notice no later than five working days before the day or the first day on which the hearing is to be held.

### **Right to dispense with hearing if all parties agree**

- (1) An Authority may dispense with holding a hearing if all persons required by the Act to agree that such a hearing is unnecessary, other than the Authority itself, have done so by giving notice to the Authority that they consider a hearing to be unnecessary.
- (2) Where all the persons required by the Act to agree that a hearing is unnecessary have done so in accordance with Paragraph (1), the Authority, if it agrees that a hearing is unnecessary, must forthwith give notice to the parties that the hearing has been dispensed with.

### **Withdrawal of representations**

A party who wishes to withdraw any representations they have made may do so -

- (a) by giving notice to the Authority no later than 24 hours before the day or the first day on which the hearing is to be held; or
- (b) orally at the hearing.

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**LICENSING SUB-COMMITTEE**  
**ORDER OF PROCEEDINGS**

1. Introductions.
2. Licensing Officer to present report outlining the application, relevant representations and relevance to the Local Authority licensing policy statement and statutory guidance.
3. Questions to the Licensing Officer from the Sub-Committee or other parties.
4. The responsible Authorities to make relevant representations in relation to the application.
5. The applicant, interested parties and Sub-Committee to ask questions of the responsible Authorities.
6. Interested parties to make representations.
7. The applicant, responsible Authorities and Sub-Committee to ask questions of the interested parties.
8. The applicant to present their case.
9. Responsible Authorities, interested parties and Sub-Committee to ask questions of the applicant.
10. All parties to briefly summarise their case.
11. The Chair to check that all parties have said all they wish to.
12. The Sub-Committee to deliberate in private, all persons except the Legal Adviser and Committee Administrator, to withdraw from the hearing.
13. All parties to be recalled and advised of the Sub-Committee's decision and inform parties in regard to the right of appeal to the Magistrates Court under Section 181 of the Licensing Act 2003

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# Appointment of Chair



# Welcome

# Apologies

# Declarations of Interest

**Walsall Wood Football  
& Social Club  
Oak Park Football  
Ground**



# Walsall Council

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## REPORT OF THE DIRECTOR OF RESILIENT COMMUNITIES

### LICENSING SUB - COMMITTEE

2 March 2021

### APPLICATION FOR A REVIEW OF CLUB PREMISES CERTIFICATE UNDER SECTION 87 OF THE LICENSING ACT 2003

**Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall  
WS9 9NP**

#### **1.0 Summary of Report**

- 1.1 For members of the licensing subcommittee to determine an application to review the Club Premises Certificate, in respect of Walsall Wood Football & Social Club.
- 1.2 The review application is made by the Chief Constable of West Midlands Police, a responsible authority under the terms of the Licensing Act 2003 (the Act).
- 1.3 The application cannot be determined under officer-delegated authority.

#### **2.0 Recommendations**

- 2.1 That the licensing sub committee having regard to the submitted review application, determine what steps if any, are considered necessary for the promotion of the licensing objectives at these premises.
- 2.2 Where the licensing authority considers that action under its statutory powers is appropriate, it may take any of the following steps:
  - to modify the conditions of the certificate;
  - to exclude a qualifying club activity from the scope of the certificate;
  - to suspend the certificate for a period not exceeding three months;
  - to withdraw the certificate;

### **3.0 Background information**

- 3.1 Section 71, 4(c) of the act requires that an application for a club premises certificate must be accompanied by
- a club operating schedule this is contained at **Appendix 1**
  - a plan of the premises this is contained at **Appendix 1**
  - a copy of the rules of the club this is contained at **Appendix 2**
- 3.2 In order to assist members of the Committee and those attending the Hearing a street map of the locality of Walsall Wood Football & Social Club is provided at **Appendix 3**.

#### **West Midlands Police**

- 3.3 An application to review the club premises certificate for Walsall Wood Football & Social Club has been submitted by the Chief Constable of West Midlands Police. The grounds for the review (section C of the application) relate to all four of the statutory licensing objectives
- the prevention of crime and disorder,
  - public safety,
  - the prevention of public nuisance
  - and the protection of children from harm.

A copy of the review application is provided at **Appendix 4**.

- 3.4 The initial application to review the club premises certificate and which contained summary details and the representation made by the West Midlands Police was received by the licensing authority on 18<sup>th</sup> December 2020.
- 3.5 The review application outlines the police's view that there have been repeated failures to manage this premises in line with the licensing objectives since April 2020 and throughout the period in which Coronavirus restrictions have been in place.
- 3.6 West Midlands Police have confirmed that they will provide an evidence bundle that will include;
- the Regulations in place throughout the pandemic,
  - guidance for the safe operation of licensed premises,
  - statements from local Police officers that have engaged with the premises, chairman and other staff,
  - statements from officers on Operation Reliant who attended on the 5<sup>th</sup> December 2020,
  - Licensing Officer statements,
  - Statement of LCT member detailing the significance of these issues/resources/demand
  - and bodycam footage of attending officers.

- 3.7 In accordance with prescribed regulations, following the submission of the review application Licensing and Community Protection staff arranged for a club premises certificate review notice to be displayed for 28 consecutive days at the premises and on the council's website.
- 3.8 The period for further written representations (of either a positive or negative nature) to be submitted from other responsible authorities and 'other persons' closed on 15<sup>th</sup> January 2021.

### **The Licensing Authority**

- 3.9 On the 11<sup>th</sup> January 2021, the licensing authority were in receipt of a representation from Sarah Heath-Marshall (Community Protection Officer) acting on behalf of the licensing authority. The representation was made on the grounds of Crime & Disorder.
- 3.10 Mrs Heath-Marshalls representation shows that in the 9 year period 2012 to 2020 Walsall Wood Football & Social Club failed on seven separate occasions to pay their annual fee when required. On six of these seven occasions the licensing authority was required to suspend the club premises certificate to prevent licensable activities taking place until payment was made. It was only after this extreme action (suspension) was taken that the Club finally paid its annual fee. A copy of the representation is provided at **Appendix 5**.

### **Environmental Health**

- 3.11 On the 14<sup>th</sup> January 2021 the licensing authority were in receipt of a representation from Paul Rooney (Team Leader for Environmental Health) indicating that the reasons for representation were on the grounds of Crime & Disorder, Public Nuisance and Protection of Children from Harm.
- 3.12 The representation mentions that on the 5<sup>th</sup> December 2020 Walsall Wood Football Club had opened their premises in breach of the Health Protection (Coronavirus Regulations) 2020 and that in response Environmental Health had served Prohibition Notices pursuant to the the Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 on the Club.
- 3.13 The representation also includes copies of a letter sent to the Chairman of the Club on the 3<sup>rd</sup> April 2020 following a reported breach of Coronavirus restrictions and an email response to that letter. The letter informs the Club that consideration will be given to serving prohibition notices on the Club should they continue to breach Coronavirus restrictions. A copy of the representation including copies of the prohibition notices served by Environmental Health on the club in December 2020 is provided at **Appendix 6**.

3.14 No further representations have been received from other responsible authorities or other persons.

#### **4.0 Resource Considerations.**

4.1 **Financial:** Any decision taken by the Licensing Authority may be appealed to the Magistrates' Court. The Licensing Authority would have to bear the costs of defending such an appeal.

4.2 **Legal:** Any received application for review must be relevant to the promotion of the licensing objectives namely: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance, Protection of Children from Harm.

In determining the review application the licensing sub committee must have regard to:

- The need to promote the four licensing objectives.
- Representations made.
- Relevant sections of the Licensing Act 2003.
- Relevant sections of the statutory guidance issued under s.182 of the Act.
- The licensing authorities' policy statement (under review).

4.3 In determining the review application the sub committee can take such steps as it considers necessary for the promotion of the licensing objectives:

- Take no further action.
- to modify the conditions of the certificate;
- to exclude a qualifying club activity from the scope of the certificate;
- to suspend the certificate for a period not exceeding three months;
- to withdraw the certificate;

4.4 In deciding which of these powers to invoke, it is expected that licensing authorities should so far as possible seek to establish the cause or causes of the concerns that the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than an appropriate and proportionate response to address the causes of concern that instigated the review.

4.5 Where the subcommittee takes the step to modify the conditions of licence or exclude a licensable activity, it may provide that the modification or exclusion is to have effect for one such period (not exceeding three months) as it may specify.



- 4.6 The licensing authority may decide that the review does not require it to take any further steps appropriate to promoting the licensing objectives. In addition, there is nothing to prevent a licensing authority issuing an informal warning to the licence holder and/or to recommend improvement within a particular period of time. It is expected that licensing authorities will regard such informal warnings as an important mechanism for ensuring that the licensing objectives are effectively promoted and that warnings should be issued in writing to the licence holder.

*However, where responsible authorities such as the police or environmental health officers have already issued warnings requiring improvement – either orally or in writing – that have failed as part of their own stepped approach to address concerns, licensing authorities should not merely repeat that approach and should take this into account when considering what further action is appropriate (11.18 Guidance).*

*Where the applicant for review, holder of the premises licence or any other person who made relevant representations in relation to the application is aggrieved by the decision of the licensing authority, appeal is to magistrates court where the reasonableness or otherwise of the decision will be tested.*

*Where authorised persons and responsible authorities have concerns about problems identified at premises, it is good practice for them to give licence holders early warning of their concerns and the need for improvement, and where possible they should advise the licence or certificate holder of the steps they need to take to address those concerns. A failure by the holder to respond to such warnings is expected to lead to a decision to apply for a review. Co-operation at a local level in promoting the licensing objectives should be encouraged and reviews should not be used to undermine this cooperation.*

- 4.4 Paragraph 11.24 of the guidance states:

*A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.*

4.5 Paragraph 11.25 of the guidance states:

*Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.*

4.6 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

4.7 **Staffing:** Nothing arising from this report.

#### **5.0 Citizen impact**

5.1 None arising from this report.

#### **6.0 Community Safety.**

6.1 Is addressed through the review hearing process.

#### **7.0 Environmental impact**

7.1 None arising from this report.

#### **8.0 Performance and risk management issues**

8.1 None arising from this report.

#### **9.0 Equality implications**

9.1 None arising from this report.

#### **10.0 Consultation**

10.1 Carried out in accordance with prescribed regulation.

## **11.0 Contact Officer**

11.1 Sayful Alom – [Sayful.alom@walsall.gov.uk](mailto:Sayful.alom@walsall.gov.uk)

## **12.0 Appendices**

12.1

- Appendix 1 – Current Club Premise Certificate.
- Appendix 2 – Club Rules
- Appendix 3 – Street map of the locality.
- Appendix 4 – Application for review by the Chief Constable of West Midlands Police.
- Appendix 5 – Representation from Community Protection
- Appendix 6 – Representation from Environmental Health

**Licensing Act 2003 Club Premises Certificate:WS/CPC/0061**

(Walsall Council reference WK/200622985)

**Part 1 – Club details**

**Name of Club in whose name this certificate is granted and relevant postal address of club**

**Name of Club:** Walsall Wood Football & Social Club Limited

**Club's postal correspondence address:**

Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
West Midlands  
WS9 9NP

**If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description**

As above

<b>Telephone number of club premises</b>	01543 361084
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**Where the club premises certificate is time limited the dates**

The Certificate is not time limited

**Qualifying club activities authorised by the certificate:**

Supply of alcohol

**The times the certificate authorises the carrying out of qualifying club activities**

Alcohol Sales

Monday to Saturday 11:00 – 23:00

Sunday 12:00 – 22:30

Plus non-standard times detailed in the operating schedule (Annex 2)

**The opening hours of the club**

This is a “conversion” from a Certificate under a previous licensing regime whereby club opening hours were not stipulated. However in relation to the supply of alcohol for consumption “on the premises” such consumption was permitted for no longer than twenty minutes from the terminal hour for supply. This restriction continues as a condition of the conversion.

**Where the certificate authorises supplies of alcohol whether these are on and/or off supplies**

Both “On” and “Off”

**State whether access to the club premises by children is restricted or prohibited**

Restrictions as set out in the Licensing Act 2003 will apply.

**Part 2 – Certificate approval**

**Approved on behalf of Walsall Metropolitan Borough Council**



Dr Judith Sunley  
Head of Public Protection

Effective from: 24th November 2005

## Annex 1 - Mandatory conditions

### **The following conditions apply where relevant:**

#### **Conditions that apply to the supply of Alcohol:**

A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.

Where a club premises certificate authorises the supply of alcohol for consumption off the premises the following conditions apply:

- (a) The supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- (b) Any alcohol sold for consumption off the premises must be sold in sealed containers
- (b) Any supply of alcohol for consumption off the premises must be made to a member of the club in person

#### **Conditions that apply to the exhibition of films:**

Where a film classification body has specified that the exhibition of a film is restricted, the admission of children to the film must be restricted in accordance with the recommendations of that body.

#### **General Conditions:**

Unless provided for within the operating schedule, this licence is granted subject to such conditions as to reproduce the effect of the following:

- (a) Licensing Act 1964
- (b) Children and Young Persons Act 1933
- (c) Cinematograph (safety) regulations 1955
- (d) Sporting Events (control of alcohol etc) act 1985

**Annex 2 - Conditions consistent with the Operating Schedule**

Supply of Alcohol On and Off the Premises		
Day	Start	Finish
Mon	11:00	23:00
Tues	11:00	23:00
Wed	11:00	23:00
Thurs	11:00	23:00
Fri	11:00	23:00
Sat	11:00	23:00
Sun	12:00	22:30

Non-standard times:  
 Good Friday 12:00 - 22:30  
 Christmas Day - Hours are subject to the following restrictions:  
 Not exceed six & a half hours; not begin earlier than 12:00; not end later than 22:30; provide for a break of at least 2 hours including 15:00 - 17:00; not extend for more than three and a half hours after 17:00  
 New Year's Eve - From permitted hours New Year's Eve to terminal hour New Year's Day.

**The following adult entertainment or services, activities or other matters ancillary to the use of the premises that might give rise to concern in respect of children have been highlighted by the applicant:**

None

**Conditions volunteered by the applicant in order to promote the licensing objectives:**

**(a) General – all four licensing objectives**

Club rules submitted with the application and which are appended to the Certificate

There are to be no more than ten functions per year.

There is to be no public advertising.

There is to be no supply of intoxicating liquors to members under the 18 years of age.

**(b) The prevention of crime and disorder**

None

**(c) Public safety**

None

**(d) The prevention of public nuisance**

None

**(e) The protection of children from harm**

None

**Annex 3 - Conditions agreed by the applicant following mediation**

None

**Annex 4 - Conditions attached after a hearing by the licensing authority**

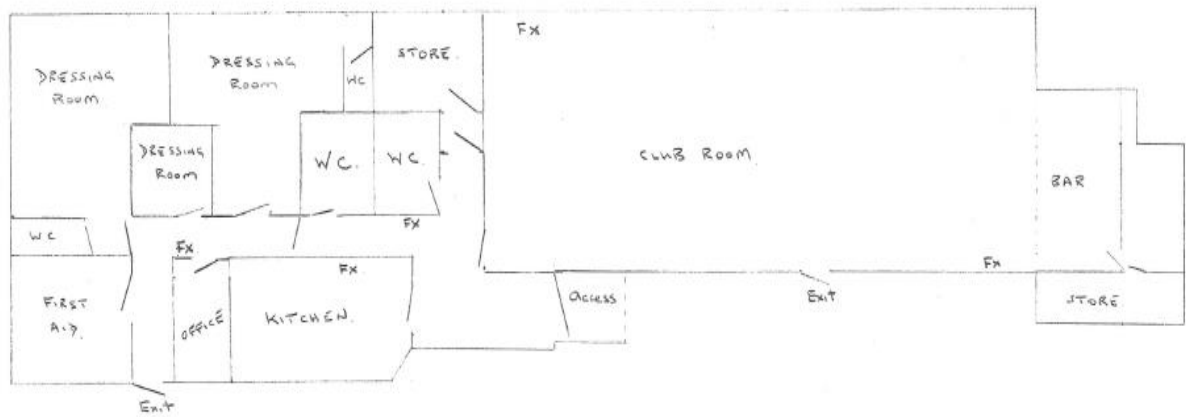
Not applicable - this application was not subject to a hearing.



Annex 5 – Plans

WALSALL WOOD FOOTBALL AND SOCIAL CLUB

PREMISES PLAN



Scale: 1:100

RECEIVED  
04 AUG 2005

End of annexes

# Walsall Wood Football and Social Club

## Rules

### 1. Name

The name of the Club is Walsall Wood Football and Social Club.

### 2. Aims and Objectives

- 2.1. To provide facilities for recreation, social intercourse and refreshments for the benefit of its members.
- 2.2. The provision of maintenance of the Clubhouse at Oak Park, Walsall Wood.
- 2.3. To assist the development of all sports bodies associated with Walsall Wood Football and Social Club.

A copy of the rules and the names of all Officers and Committee members shall be displayed at the Clubhouse.

### 3. Membership

- 3.1. Every candidate for membership, associate, family or youth members, shall be proposed and seconded by members of the Club. Their full name and address must, for not less than 7 days before the election, be prominently displayed on the Club noticeboard. Until election, no person shall be entitled to any of the privileges of the Club.
- 3.2. The Committee at its sole discretion shall elect candidates for full membership.
- 3.3. Every member shall pay an annual membership fee to be decided at the discretion of the Committee and to be displayed on the Club notice board. The membership will be for one year and will be renewable on the 1<sup>st</sup> August of each year.
- 3.4. Any membership that is not renewed within 28 days of the start of the club year will be considered to have lapsed.
- 3.5. At all General meetings of the Club each full member shall be allowed one vote. Only full members attending these meetings are entitled to vote. Postal and Proxy votes shall be deemed void.
- 3.6. The Committee shall have power to expel any member who shall offend against the rules of the Club or whose conduct shall in the opinion of the Committee render him/her unfit for membership of the Club. Before any member is expelled the Secretary shall give him/her 7 days written notice to attend a meeting of the Committee and shall inform him/her of the complaints made against him/her. No member shall be expelled without first having an opportunity of appearing before the Committee and answering complaints made against him/her or unless at least two thirds of the Committee then present vote in favour of his/her expulsion.

### 4. Management

- 4.1. The management of Walsall Wood Football and Social Club shall be carried out by a Committee consisting of Chairman, Vice Chairman, Secretary, Treasurer, Chairman of the Football Sub Committee, Assistant Treasurer (who will also be Treasurer of the Football Sub Committee), Assistant Secretary and a minimum of three other members. The Committee shall meet at such times as the Committee shall determine. At all meetings of the Committee, five shall form a quorum, two of whom shall be Officers of the Club.
- 4.2. The Management Committee shall be elected at the Annual General meeting, and to ensure continuity of the Management Committee the election of Members will be on the following basis.
  - 4.2.1. To be elected in even years at an Annual General Meeting, Vice Chairman, Secretary, Assistant Treasurer, Football Committee Chairman plus a minimum of one other.

4.2.2. To be elected in odd years at an Annual General meeting, Chairman, Treasurer, Assistant Secretary plus a minimum of one other.

4.3. No Officer or Committee Member will be able to serve for a period exceeding 2 years unless re-elected at an Annual General Meeting.

4.4. The Committee shall have the power at any time and from time to time to fill any casual vacancy among the Officers and Committee. It may also co-opt onto the Committee any Member who they believe, by serving on the Committee, would benefit the running of the Club. This person shall hold office only until the next Annual general Meeting, but shall be eligible for re-election.

4.5. In the event of any member for any reason ceasing to be a member of the Management Committee, he shall automatically cease to be a member any Sub Committee and another member of the Management Committee appointed in his place.

## **5. Financial Controls**

5.1. No person shall at any time be entitled to receive at the expense of the Club or of any member thereof any commission percentage or similar payment on or with reference to purchase of intoxicating liquor by the Club, nor shall any person directly or indirectly derive any pecuniary benefit from the supply of intoxicating liquor by or on behalf of the Club to members or guests apart from any benefit accruing to the Club as a whole and apart also from any benefit which a person derives indirectly by reason of the supply giving rise to or contributing to a general gain from the carrying on of the Club.

5.2. The purchase for the Club and the supply by the Club of intoxicating liquor shall be in the absolute discretion of a Sub Committee of not less than 3 members being of the Management Committee and appointed by that Committee for that purpose.

5.3. No money or property of the Club or any gain arising from the carrying on of the Club shall be applied otherwise than for the benefit of the Club as a whole or for some charitable benevolent or political purpose or purposes chosen by resolution of a general meeting.

5.4. Full accounts of the financial affairs of the Club duly audited by the auditors will be available for perusal by the Club members 28 days prior to the convening of the Annual General meeting.

5.5. If at any time the Club in general meeting shall pass a resolution authorising the Committee to borrow money the Committee shall thereupon be empowered to borrow for the purpose of the Club such amount of money either at one time or from time to time and at such a rate of interest and in such form and manner and upon such security as shall be specified in such resolution and thereupon the Trustees shall at the direction of the Committee make all such dispositions of the Club property or any part thereof and enter into such agreements in relation thereto as the Committee may deem proper for giving security for such loans and interest. All members of the Club whether voting on such resolutions or not and all persons becoming members of the Club after the passing of such resolution shall be deemed to have assented to the same as if they had voted in favour of such resolution.

## **6. Trustees**

6.1. There shall be not more than 4 Trustees of the Club. The first Trustees shall be appointed by the Committee and the property of the Club (other than cash which shall be under the control of the Treasurer) shall be vested in them to be dealt with by them as the Committee shall from time to time direct by resolutions (of which an entry in the minute book shall be conclusive evidence). The Trustees shall be indemnified against risk and expense out of the Club property. The Trustees shall hold office until death or resignation or until removed from office by a resolution of the Committee who may for any reason which may seem sufficient to a majority of them present and voting at many

meetings remove any Trustee or Trustees from the office of Trustees. Whereby reason of any such death resignation or removal it shall appear to be necessary to the Committee that a new Trustee or Trustees shall be appointed or if the Committee shall deem it expedient to appoint an additional Trustee or Trustees the Committee shall by resolution nominate the person or persons to be appointed the new Trustee or Trustees. For the purpose of giving effect to such nomination the President is hereby nominated as the person to appoint the new Trustees of the Club within the meaning of Section 36 of the Trustees Act 1925 shall apply to any such appointment. Any statement of fact in any such deed of appointment shall in favour of a person dealing with bona fide and for value with the Club or Committee be conclusive evidence of the fact so stated.

## **7. Meetings**

7.1. The Chairman of the Club shall preside at all meetings of the Club but if he is unable to be present, the Vice-Chairman shall deputise. If the Vice-Chairman is also unable to be present, the members present shall choose one of their number to be Chairman of the meeting.

7.2. No alterations or additions or amendment to these rules shall be made except by a resolution carried by the majority of at least two thirds of the members present at a general meeting the notice of which shall have contained particulars of the proposed alteration or addition.

### **7.3. General Meetings**

7.3.1. The Secretary shall at least 14 days before any general meeting inform every member as recorded in the Club's books notice of the meeting stating the time when and the place where it will be held and the business to be conducted.

7.3.2. The business at a general meeting shall be limited to that provided by the rules and those further matters set out in the notice convening the meeting. The quorum at any general meeting shall be one quarter of the Membership.

### **7.4. Annual General Meetings**

7.4.1. An Annual General meeting of the Club shall be held in the month of August in each year and fifteen months shall not elapse without a general meeting. At the Annual General Meeting, the following business shall be conducted.

7.4.1.1. The presentation and (if accepted) the passing of the accounts for the previous financial year ended on the 31st day of December prior to the meeting which accounts shall first have been audited by the Club's auditors.

7.4.1.2. The election of Officers and Committee

7.4.1.3. The election of one auditor

7.4.1.4. Such other business as shall have been communicated to the Secretary and included in the notice of the meeting sent by him to the members.

### **7.5. Extraordinary General Meetings**

7.5.1. An extraordinary general meeting may be convened at any time and shall be convened with 21 days notice on the requisition of one fifth of the members of the Club for the time being or 30 members whichever is the less. Such requisition must state the purpose for which such meeting is required.

## **8. Visitors and Guests**

8.1. Any member shall be entitled to introduce 2 guests to the Club, excluding his/her spouse, provided that no person whose application for membership has been declined or who has been expelled from the Club shall be introduced as a guest. The member and guest shall sign their names and addresses in a book kept for that purpose at the Clubhouse.

8.2. No guest shall be permitted to purchase intoxicating liquor in the Club.

8.3. Members of the Committee are empowered to introduce as honorary members, visiting teams, for the day on which a match or other social activity or function takes place. These honorary members will not be allowed to sign in guests.

## **9. Opening Times**

9.1. The Club shall be open between such hours as the Committee shall resolve, and the Secretary shall post on the Club noticeboard a notice setting out these hours.

9.2. The permitted hours for the supply of intoxicating liquor shall be determined by the Committee from time to time and the Secretary shall keep posted at the Club notice of such hours. In addition the Secretary will notify the Clerk to the Licensing Justices and the Chief Officer of Police for the area of those hours and no change in the permitted hours shall come into effect until at least 28 days have expired from the date on which the notice is given as aforesaid.

9.3. The Secretary shall as soon as possible and in any event within 28 days of the making of any such alteration or addition or amendment give written notice to the Chief Officer of Police and to the Clerk of the Local Authority for the district in which the Club is situate.

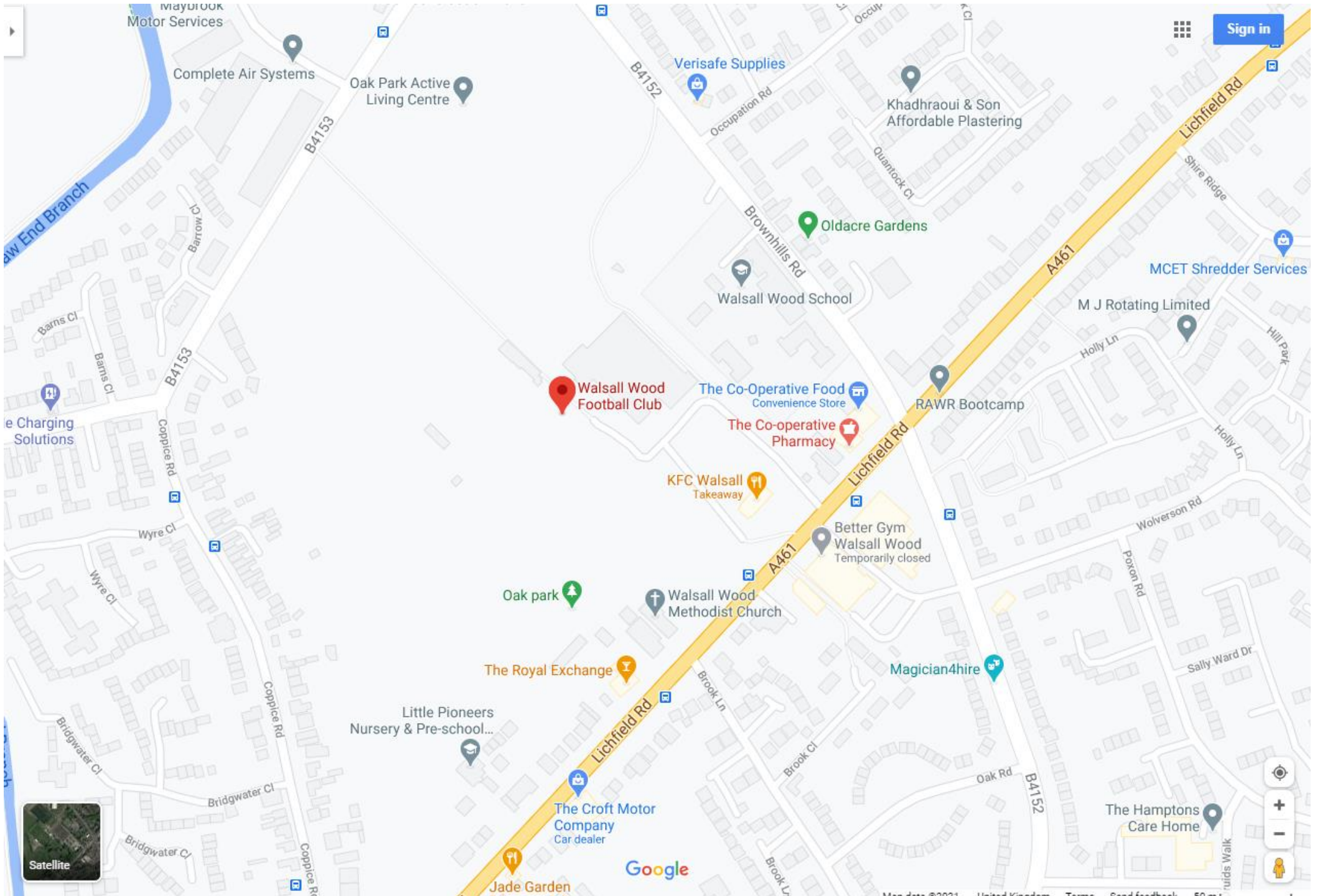
9.4. The provisions of the Licensing Act 1964 and in particular the seventh schedule thereto, shall be and the same are hereby incorporated into these rules and in so far as these rules are inconsistent with any provision of the said Act then the provisions of the said Act shall prevail.

9.5. No sale or supply of intoxicating liquor will be made to any persons under 18 years of age.

9.6. "Sales of intoxicating liquor shall be allowed under Section 49 of the Licensing Act 1964, subject to the conditions as set out on the Registration Certificate."

## **10. Winding up of the Club**

10.1. If, at any meeting, a resolution for the dissolution of the Club shall be passed by a majority of, at least, three quarters of the members present and that at a meeting (general) held not less than 6 weeks thereafter (of which not less than 4 weeks written notice shall have been given to each member, at which not less than 25% of the membership are present) then that resolution shall be confirmed by a resolution passed by a majority of at least three quarters of the members voting thereon, the existing committee shall thereupon or on such future date as shall be specified in such resolution or as soon as possible thereafter proceed to realise the property of the Club and after discharging all liabilities, the remaining assets shall not be paid to or distributed among the members of the Club, but shall be given or transferred to some voluntary organisation having objects similar to those of the Club.





# Walsall Council

## Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

#### I The Chief Constable of West Midlands Police

*(Insert name of applicant)*

**apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)**

#### Part 1 – Premises or club premises details

<b>Postal address of premises or, if none, ordnance survey map reference or description</b> Walsall Wood Football & Social Club Oak Park Football Ground Lichfield Road	
<b>Post town</b> Walsall	<b>Post code (if known)</b> WS9 9NP

<b>Name of premises licence holder or club holding club premises certificate (if known)</b> Walsall Wood Football & Social Club
--

<b>Number of premises licence or club premises certificate (if known)</b> WS/CPC/0061
--

#### Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates  
(please complete (A) below)

**(A) DETAILS OF INDIVIDUAL APPLICANT** (fill in as applicable)

Please tick  yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

**Surname**

**First names**

**I am 18 years old or over**

Please tick  yes

**Current postal  
address if  
different from  
premises  
address**

**Post town**

**Post Code**

**Daytime contact telephone number**

**E-mail address  
(optional)**

**(B) DETAILS OF OTHER APPLICANT**

Name and address

Telephone number (if any)

E-mail address (optional)



**(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT**

Name and address <b>Chief Constable of West Midlands Police</b> <b>Walsall Licensing Section</b> <b>West Midlands Police HQ</b> <b>Lloyd House</b> <b>Birmingham</b> <b>B4 6NQ</b>
Telephone number (if any) <b>101 8896331</b>
E-mail address (optional) <b>H_WALSALL_LICENSING@west-midlands.pnn.police.uk</b>

**This application to review relates to the following licensing objective(s)**

- |   |                                 |
|---|---------------------------------|
|   | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | <b>X</b>                        |
| 2) public safety                        | <b>X</b>                        |
| 3) the prevention of public nuisance    | <b>X</b>                        |
| 4) the protection of children from harm | <b>X</b>                        |

**Please state the ground(s) for review (please read guidance note 2)**

These premises are a small football club that operate under a club premises certificate under the chairmanship of Justin Hodgin. The facilities at the ground include changing facilities and two bar areas. The buildings are self-contained and can be completely secured with external shutters from the inside. This can mean that it is not possible to see inside at all, meaning it would be easy to conduct activity without bringing attention to the premises.

The grounds for this review come from repeated failures of the premises and the management throughout the Covid pandemic. This has been through the premises not following the regulation, which is a criminal offence, but also breaching the extensive guidance designed to help premises operate in a Covid secure manner. This has happened to a level that is placing an increased risk of infection to the staff, customers attending, officers that need to enforce and the wider community.

West Midlands Police can only see that this has been done for the purpose of profit and financial gain for the club at a time when other premises, both locally and nationally, have been abiding by the rules in spite of the financial hardship this has caused them.

The Covid 19 Pandemic has had a global impact with over 1.5 MILLION fatalities. The UK has seen a significant impact with a comparatively high level of deaths per 100,000 of population. It has seen significant hardship with two national lockdowns, tiering systems that impact on different regions designed to restrict social interaction. This has been done to try and defeat the pandemic and allow normality to resume as quickly as possible. Actions that have occurred at this premise only delayed that further to the continued detriment of others.

The infection rate in Walsall has varied throughout 2020 which has resulted in them sitting in different tiers at different times. This will be identified as we go through the time line of events.

WMP have exhausted the engage, explain and encourage elements of the nationwide 4 E approach. It is clear that the management control of the premises is either wilfully ignoring what WMP are saying or at worst negligent as to how the premises operate.

The events which have led to this enforcement action are described below, in reverse chronological order.

For ease, all regulations and guidance will be supplied as supplementary evidence before the hearing.

Saturday 5<sup>th</sup> December (Tier 3 for Walsall)

Officers attend the location and discover activity taking place inside the premises. Attempts were made to divert officer's attention. Officers contacted the club chairman who was evasive and denied responsibility, he could not locate any key holder and was abusive when officers asked him to facilitate entry to the premises.

Officers from Operation Reliant (A force wide operation to respond to suspected Covid breaches) attended the premises and could clearly hear activities taking place inside. Repeated attempts were made to get people's attention inside of the premises. It was known that they could hear officers as officers were repeatedly told to 'FUCK OFF' Officers could hear music inside. The activity inside continued for some considerable time, even after it was apparent police officers were outside trying to engage with them.

Ultimately, force had to be used to enter the premises and a substantial number of police resources were deployed to the incident. Upon gaining entry, officers noted that people were consuming alcohol, it would appear that some people inside were not from the local area. It also transpired that a member of committee/club secretary was present with their family inside the premises.

The activities which officers witnessed contravened the Tier 3 regulations. The fact that the building was locked by shutters jeopardised the safety of those inside had there been any reason for them to quickly evacuate.

Directions to leave and fixed penalty notices were issued to 19 persons inside the location.

WMP are aware that on the 7<sup>th</sup> December, the chairman of the club issued a statement saying that no club officials or club staff was on site at the time of this incident. This goes against the evidence that officers gathered on the night which showed there was an official present.

#### Thursday 7<sup>th</sup> October (Tier 2)

Reports via social media that fans were in attendance at a football fixture at this location and were not socially distanced.

#### Saturday 25<sup>th</sup> April (National Lockdown)

Officers attend to view the CCTV of previous incidents unfortunately officers found no evidence of any recordings on the hard drive for these dates. The playback facility was still available and officers in attendance reviewed this and could see the Chairman and a colleague using the system an hour before officers attended.

#### Friday 10<sup>th</sup> April (National Lockdown)

Officers attended the location to reports of activity inside. Officers noted that a light was on inside, they could hear people talking inside and children laughing. The premise was locked and the shutters were down.

#### Sunday 5<sup>th</sup> April (National Lockdown)

Call from the public that the premises had been open. Officers attended and the site was secure and locked up.

There has been a continued effort to operate these premises in contravention of the regulations. This is aggravated by the secretive manner in which the premises have operated.

WMP have worked in partnership with Walsall local authority to address the issues but the operators have disregarded guidance and support from both WMP and Walsall local authority.

For all of the reasons documented, WMP do not believe that the premises has in any way promoted any of the four licensing objectives and this is why this review is against all four objectives.

WMP have no confidence in the management of this premises which has shown a disregard to the licensing objectives for the sake or profit and financial gain. If it had been possible, WMP would have sought an expedited review owing to the seriousness of what has happened. WMP are seeking the revocation of the club premises certificate.

**Please provide as much information as possible to support the application (please read guidance note 3)**

WMP will supply a full evidence bundle for this hearing which will include –

Regulations throughout Covid 19 pandemic

Guidance for safe operation of licensed premises

Statements from local police officers that have engaged with the premises, chairman and other staff

Statements from officers on Operation Reliant who attended on 5<sup>th</sup> December

Licensing officer statement

Statement of LCT member detailing significance of these issues/resources/demand

Bodycam footage of attending officers

Please tick ✓ yes

Have you made an application for review relating to the premises before

If yes please state the date of that application

Day	Month	Year
	12	2020

**If you have made representations before relating to the premises please state what they were and when you made them**

N/A

Please tick ✓

yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 3 – Signatures** (please read guidance note 4)

**Signature of applicant or applicant's solicitor or other duly authorised agent** (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

*[Handwritten Signature]* CHIEF SPT PAROUS (ON BEHALF OF THE CHIEF COMMANDER)  
17th DECEMBER 2020  
BOROUGH COMMANDER WALSALL NPU

<b>Contact name (where not previously given) and postal address for correspondence associated with this application</b> (please read guidance note 6) Walsall Police Walsall Partnerships (Licensing) Civic Centre Darwall Street	
<b>Post town</b> Walsall	<b>Post Code</b> WS1 1RG
<b>Telephone number (if any)</b> 101 ext 8896331	
<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b> H_WALSALL_LICENSING@west-midlands.pnn.police.uk	

**Notes for Guidance**

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.



Licensing Act 2003 – Representation Form

Personal Details	
<b>Title:</b>	Mr <input type="checkbox"/> Mrs <input checked="" type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please specify)
<b>First Name:</b>	sarah
<b>Surname:</b>	heath-marshall
<b>Address:</b>	Walsall Council, Licensing Authority, Civic Centre, Darwall Street, Walsall
<b>Postcode:</b>	WS1 1TP
<b>Contact Telephone Numbers:</b>	<b>Daytime:</b> 01922 653060 <b>Mobile:</b>

Premises Details <i>(please give as much information as possible)</i>	
<b>Application Ref:</b>	WS/CPC/0061
<b>Name of Premises</b>	Walsall Wood Football Club
<b>Address of Premises:</b>	Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP.

Reasons for Representation
Please provide your reasons under the relevant licensing objective below. You are not required to complete all sections. Complete only those that you consider are relevant to your representation.
<b>The Prevention of Crime and Disorder</b> Annual Fee not paid and therefore the licensable activity is not permitted.
<b>The Prevention of Public Nuisance</b>
<b>Public Safety</b>
<b>The Protection of Children from Harm</b>
In accordance with the provisions of the Licensing Act 2003, the Licensing Authority is required to include all personal details in the Committee report. Should there be exceptional circumstances, which require the protection of your identity, please explain the reasons below:  I am Sarah Heath-Marshall and my role is Community Protection Officer for Walsall Council. My role covers licensing enforcement and ensuring that businesses comply with the Licensing Act. I am acting as the licensing authority under delegated powers to make a representation to the above review application.  The Licensing Authority have made representation against the premises as the premises has been in breach of section 92 (subsection 2) of the Licensing Act 2003:

“Regulations may also require the payment of an annual fee to the relevant licensing authority by or on behalf of a club which holds a club premises certificate”

The premises has failed to comply with the aforementioned section of the Act on numerous occasions.

Details of the non-compliance is detailed below outlining dates when they failed to pay and when they were suspended.

The above establishment has a Club Premises Certificate for which there is an annual fee to be paid. Over several years this annual fee has not been paid when requested and subsequently the licence has been suspended until payment has been made.

On 24 November 2012 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issued on 29 April 2013 the annual fee was paid on 29 April 2013. I have attached the suspension notice as appendix 1.

On 24 november 2013 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issued on 16 December 2013 the annual fee was paid on 16 December 2013. I have attached the suspension notice as appendix 2.

On 24 November 2014 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issued on 26 January 2015 and the annual fee was paid on 27 January 2015. I have attached the suspension notice as appendix 3.

On 24 november 2017 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issued on 16 March 2018 and the annual fee was paid on 28 June 2018. I have attached the suspension notice as appendix 4.

On 24 November 2018 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issues on 6 December 2018 and the invoice was paid on 15 May 2019. I have attached the suspension notice as appendix 5.

On 9 October 2019 a invoice was sent requesting payment of the annual fee, this was not paid and a subsequent suspension notice was issues on 14 January 2020 and the invoice was paid on 20 June 2020. I have attached the suspension notice as appendix 6.

On 5 July 2020 myself and my colleague Kirsty Steward carried out a visit to the premises to chase the annual fee payment for October 2019 and was assured by Mr John Lees that the payment had been made and proof of this was shown. Whilst there a covid secure visit was carried out to ensure that they had all the necessary measures in place to be open to the public.

The evidence above clearly shows a pattern of behaviour to not pay the annual fee until a point at which the licence is suspended. The Club has shown no intention of being forward coming with the annual fees to be paid on time or without the need for a suspension notice to be issued.



In light of this I support the review application made by the Police and that the constant breaches and non-compliance has resulted in the review of the premises. After many opportunities they have still chosen to disregard the legislation.

**Declaration**

I confirm that the information I have provided is true and correct.

**Signed:** 

**Dated:** 11/1/2021





# Walsall Council

## Licensing Enforcement A Division of Regulatory Services

Our Ref: WK/201308318  
Date: 22<sup>nd</sup> April 2013  
Please ask for: Susan Allman  
Direct Line: 01922 653071  
E-mail: allmans@walsall.gov.uk

Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
West Midlands  
WS9 9NP

### **NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE - Licensing Act 2003 section 92(A)(1)**

You are hereby given notice that Club Premises Certificate: WS/CPC/0061  
authorising the following licensable activity:

- Supply of Alcohol

at Walsall Wood Football & Social Club, Oak Park Football Ground, Lichfield road,  
Walsall Wood, Walsall, West Midlands, WS9 9NP is suspended because you failed to  
pay an annual fee which was due on the 24<sup>th</sup> November 2012.

The suspension of your Club Premises Certificate takes effect on the 29<sup>th</sup> April 2013 at  
17:00 hours. A Club Premises Certificate that has been suspended does not  
authorise licensable activities. This means that from the 29<sup>th</sup> April 2013 at 17:00 hours  
you will **not** be able to carry on the licensable activities / qualifying club activities listed  
above.

If you wish to continue to carry on any licensable activities you should make  
arrangements to pay the fee of £180.00 to Walsall Council immediately. (Payment  
details are on your original invoice, copy enclosed).

Continued.....

**NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO  
PAY ANNUAL FEE - Licensing Act 2003 section 92(A)(1)**

Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your certificate will cease to have effect on the day the Authority receives from you the annual fee.

It is a criminal offence to carry on or attempt to carry on a licensable activity/ qualifying club activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Signed:   
Name: Lorraine Boothman  
Interim Trading Standards Manager

Date 22/4/13



# Walsall Council

## Licensing Enforcement A Division of Regulatory Services

Our Ref: WK/201325150

Date: 9<sup>th</sup> December 2013

Please ask for: Jackie Taylor

Direct Line: 01922 653066

E-mail: [garnerm@walsall.gov.uk](mailto:garnerm@walsall.gov.uk)

Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
WS9 9NP

### NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE - Licensing Act 2003 section 92(A)(1)

You are hereby given notice that Club Premises Certificate: WS/CPC/0061  
authorising the following licensable activity:

- Supply of Alcohol

at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield road,  
Walsall Wood, Walsall, West Midlands, WS9 9NP is suspended because you failed to  
pay an annual fee which was due on the 24<sup>th</sup> November 2013.

The suspension of your Club Premises Certificate takes effect on the 16<sup>th</sup> December  
2013 at 17:00 hours. A Club Premises Certificate that has been suspended does not  
authorise licensable activities. This means that from the 16<sup>th</sup> December 2013 at 17:00  
hours you will **not** be able to carry on the licensable activities / qualifying club activities  
listed above.

If you wish to continue to carry on any licensable activities you should make  
arrangements to pay the fee of £180.00 to Walsall Council immediately. (Payment  
details are on your original invoice, copy enclosed).

Continued.....

**NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO  
PAY ANNUAL FEE - Licensing Act 2003 section 92(A)(1)**

Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your certificate will cease to have effect on the day the Authority receives from you the annual fee.

It is a criminal offence to carry on or attempt to carry on a licensable activity/ qualifying club activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Signed: *L. Boothman*  
Name: Lorraine Boothman  
Interim Trading Standards Manager

Date: 9/12/13



# Walsall Council

## Communities and Public Protection

Our Ref: WK/201424086

Date: 15<sup>th</sup> January 2015

Please ask for: Susan Allman

Direct Line: 01922 653071

E-mail: [licensingenforcement@walsall.gov.uk](mailto:licensingenforcement@walsall.gov.uk)

Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
WS9 9NP

### **NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE - Licensing Act 2003 section 92(A)(1)**

You are hereby given notice that Club Premises Certificate: **WS/CPC/0061** authorising the following licensable activity:

- Supply of Alcohol

at the above address is suspended because you failed to pay an annual fee which was due on the 24<sup>th</sup> November 2014.

The suspension of your Club Premises Certificate takes effect on the 26<sup>th</sup> day of January 2015 at 17:00 hours. A Club Premises Certificate that has been suspended does not authorise licensable activities. This means that from 26<sup>th</sup> day of January 2015 at 17:00 hours you will **not** be able to carry on the licensable activities/ qualifying club activities listed above.

If you wish to continue to carry on any licensable activities you should make arrangements to pay the fee of £180.00 to Walsall Council immediately. (Payment details are on your original invoice, copy enclosed). Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your certificate will cease to have effect on the day the Authority receives from you the annual fee.

It is a criminal offence to carry on or attempt to carry on a licensable activity/ qualifying club activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

Signed:

Date 19<sup>th</sup> January 2015

Name:

**Kate Bowers**

Interim Head of Communities and Public Protection



# Walsall Council

## LICENSING UNIT

Our Ref: WS/CPC/0061  
Date: 09/03/2018  
Please ask for: Rebecca Clark  
Direct Line: 01922 653050  
Email: [licensing@walsall.gov.uk](mailto:licensing@walsall.gov.uk)

### URGENT

Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
WS9 9NP

### NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE- Licensing Act 2003 Section 92A(1)

**Club Premises Certificate WS/CPC/0061 – Walsall Wood Football & Social Club, Oak Park Football Ground, Lichfield Road, Walsall, WS9 9NP**

You are hereby given notice that the above club premises certificate authorising the following licensable activities:

- **Supply of Alcohol**

is suspended because you failed to pay an annual fee which was due on 24 November 2017.

The suspension of your club premises certificate takes effect on 16 March 2018 at 17:00 hours. A club premises certificate that has been suspended does not authorise licensable activities. This means that from 16 March 2018 at 17:00 hours you will **not** have a club premises certificate to carry on the licensable activities listed above.

If you wish to continue to carry on any licensable activities you should make arrangements to pay £180.00 to Walsall Council immediately. (Payment details are on your original invoice, copy enclosed).

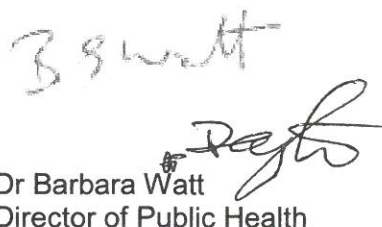
Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your club premises certificate will cease to have effect on the day the Authority receives from you the annual fee.

If an annual fee payment has been made within the past 7 days, please disregard this notice.

It is a criminal offence to carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or both.

Signed:

  
Name: Dr Barbara Watt  
Director of Public Health

Date: 09 March 2018





# Walsall Council

## LICENSING UNIT

### URGENT

Walsall Wood Football & Social Club  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
WS9 9NP

Date: 29 November 2018  
Ref: WS/CPC/0061  
Tel: 01922 653050  
Email: Licensing@walsall.gov.uk

### NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE- Licensing Act 2003 Section 92A(1)

**Club Premises Certificate WS/CPC/0061 - Walsall Wood Football & Social Club, Oak Park Football Ground, Lichfield Road, Walsall Wood Walsall, WS9 9NP**

You are hereby given notice that the above club premises certificate authorising the following licensable activity:

- **Supply of Alcohol**

is suspended because you failed to pay an annual fee which was due on 24 November 2018.

The suspension of your club premises certificate takes effect on 06 December 2018 at 17:00 hours. A club premises certificate that has been suspended does not authorise licensable activities. This means that from 06 December 2018 at 17:00 hours you will **not** have a club premises certificate to carry on the licensable activities listed above.

If you wish to continue to carry on any licensable activities you should make arrangements to pay £180.00 to Walsall Council immediately. (Payment details are on your original invoice, copy enclosed).

Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your club premises certificate will cease to have effect on the day the Authority receives from you the annual fee.

If an annual fee payment has been made within the past 7 days, please disregard this notice.

It is a criminal offence to carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or both.

Signed:

Date: 29 November 2018

Name:

Dr Barbara Watt *1004/6*  
Director of Public Health

11 January 2021

WS/CPC/0061

01922 653050

licensing@walsall.nov.uk

**URGENT**

Walsall Wood Football & Social Club Limited  
Oak Park Football Ground  
Lichfield Road  
Walsall Wood  
Walsall  
WS9 9NP

**NOTICE OF SUSPENSION OF CLUB PREMISES CERTIFICATE FOR FAILING TO PAY ANNUAL FEE– Licensing Act 2003 Section 92A(1)**

**Club Premises Certificate WS/CPC/0061 - Walsall Wood Football & Social Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, WS9 9NP**

You are hereby given notice that the above club premises certificate authorising the following licensable activity:

- **Supply of Alcohol**

is suspended because you failed to pay an annual fee which was due on 24 November 2019.

The suspension of your club premises certificate takes effect on 14 January 2020 at 17:00 hours. A club premises certificate that has been suspended does not authorise licensable activities. This means that from 14 January 2020 at 17:00 hours you will **not** have a club premises certificate to carry on the licensable activities listed above.

If you wish to continue to carry on any licensable activities you should make arrangements to pay £180.00 to Walsall Council immediately. (Payment details are on your original invoice, copy enclosed).

Please contact the Authority upon receipt of this notice if you wish to dispute this suspension.

The suspension of your club premises certificate will cease to have effect on the day the Authority receives from you the annual fee.

If an annual fee payment has been made within the past 7 days, please disregard this notice.

It is a criminal offence to carry on or attempt to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or knowingly allow a licensable activity to be so carried on. A person guilty of this offence is liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or both.



Signed:

Date: 07 January 2020

Name: Stephen Gunther  
Director of Public Health



Licensing Act 2003 – Representation Form

Personal Details	
<b>Title:</b>	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please specify)
<b>First Name:</b>	Paul
<b>Surname:</b>	Rooney
<b>Address:</b>	Walsall Council, Environmental Health, Civic Centre, Darwall Street, Walsall
<b>Postcode:</b>	WS1 1TP
<b>Contact Telephone Numbers:</b>	<b>Daytime:</b> 01922 653366 <b>Mobile:</b> [REDACTED]

Premises Details <i>(please give as much information as possible)</i>	
<b>Application Ref:</b>	WS/CPC/0061
<b>Name of Premises</b>	Walsall Wood Football Club
<b>Address of Premises:</b>	Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP.

Reasons for Representation
<p>Please provide your reasons under the relevant licensing objective below. You are not required to complete all sections. Complete only those that you consider are relevant to your representation.</p>
<p><b>The Prevention of Crime and Disorder</b></p> <p>Walsall Wood Community Football Club breached emergency restrictions imposed under The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5th December 2020 the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. The cases of infection in both the UK and Walsall are still rapidly increasing and these Regulations are still effective.</p>
<p><b>The Prevention of Public Nuisance</b></p>
<p><b>Public Safety</b></p> <p>During a national emergency Walsall Wood Community Football Club breached The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5th December 2020 the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. The cases of infection in both the UK and Walsall are still rapidly increasing and these Regulations are still effective. This activity/gathering contravened emergency public health measures imposed to reduce the public health risks posed by the spread of COVID-19. It could also have resulted in the transmission of COVID-19 and subsequent illness or death.</p>

## The Protection of Children from Harm

In accordance with the provisions of the Licensing Act 2003, the Licensing Authority is required to include all personal details in the Committee report. Should there be exceptional circumstances, which require the protection of your identity, please explain the reasons below:

I am Paul Dominic Rooney employed by Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP as a Team Leader in Environmental Health. I have been a fully qualified Environmental Health Officer for over 30 years. I am authorised Officer to enforce provisions of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

I have attached to this representation form a statement which details matters and associated actions concerning the breach of the Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) (See Appendix 1)

I have attached to this representation form a Walsall Council Public Health COVID-19 Summary to support my representation, concerning risk posed to public safety, in relation to the breach of the Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) by Walsall Wood Community Football Club. (See Appendix 2)

### Declaration

I confirm that the information I have provided is true and correct.

**Signed:** Paul Rooney

**Dated:** 14th January 2021

## Sayful Alom

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**From:** Paul Rooney  
**Sent:** 15 January 2021 09:19  
**To:** Licensing  
**Subject:** FW: Appendix 1 WS/CPC/0061 - Walsall Wood Community Football Club/Licensing Act 2003 Representations Email 2  
**Attachments:** PDR\_1\_EH\_warning\_Letter\_PR\_WWCFC\_14\_04\_20.pdf; Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll; RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll; PDR\_3\_PN\_11\_12\_20.pdf; PDR\_4\_Letter\_JH\_11\_12\_20.pdf; PDR\_5\_Letter\_IJS\_11\_12\_20.pdf; WWCFC\_Statement\_PR\_06\_01\_21.doc

I have attached all documents for Appendix 1. It includes witness statement and exhibits.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

Disclaimer: IF THIS EMAIL IS MARKED PRIVATE OR CONFIDENTIAL - PLEASE RESPECT THAT AND DO NOT FORWARD IT TO ANYONE ELSE WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR. The information in this message should be regarded as confidential and is intended for the addressee only unless explicitly stated. If you have received this message in error it must be deleted and the sender notified. The views expressed in this message are personal and not necessarily those of Walsall MBC unless explicitly stated. E-mails sent or received from Walsall MBC may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purposes of essential maintenance or support of the e-mail system. You should also be aware that any email may be subject of a request under Data Protection, Freedom of Information or Environmental Information legislation and therefore could be disclosed to third parties.

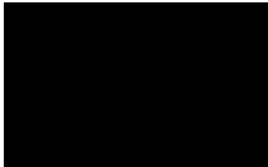
E-mail Security: Communication by internet email is not secure as messages can be intercepted and read by someone else. Therefore we strongly advise you not to email any information, which if disclosed to unrelated third parties would be likely to cause you distress. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way. If you want us to respond by email you must realise that there can be no guarantee of privacy.



**Walsall Council**

## **Environmental Health**

Mr Justin Hodgin



Your Ref:

Our Ref: WK/202005403

Date: 3<sup>rd</sup> April 2020

Please ask for: P. Rooney

Direct Line:

E-mail: [Environmentalhealth@walsall.gov.uk](mailto:Environmentalhealth@walsall.gov.uk)

Dear Mr Hodgin,

### **Public Health (Control of Disease) Act 1984**

### **The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, WS9 9NP.**

I am writing further to my visit to the above premises on 12<sup>th</sup> April 2020.

This visit was in response to a notification from the Police that they had attended your premises on Saturday 11<sup>th</sup> April 2020 and had noticed a light was on inside the club house and voices could be heard. It also appeared that you were operating your club house, or part thereof in a manner that contravenes the above Regulations.

It is considered that the business known as Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, is included in Part 1 of Schedule of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. All businesses, or parts thereof, listed in this schedule are legally required to close under current Government emergency restrictions until further notice.

I must ask that you take immediate steps to ensure that your business operations at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall are conducted in such a manner as to comply with all the requirements set out in the above mentioned regulations

Should you fail to comply with this request consideration will be given to serving a Prohibition Notice on the business. The penalty for a breach of such Notice is an unlimited fine at Court. As a further measure, and if needed, businesses that fail to comply could also be subject to a Licence Review the outcome of which could be the variation or loss of this premises' licence.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current Regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance>

My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader – Environmental Health**



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

### PROHIBITION NOTICE

**Date:** 11<sup>th</sup> December 2020

**Notice Reference:** WK/202018145

#### Part A

**To:** Walsall Wood Community Football Club,

**At:** : Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Of:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Trading as:** Walsall Wood Community Football Club

This Prohibition Notice is served under Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ("the Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

#### Part B. Contravention of the Restrictions

**Regulation Contravened:** Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) to the Regulations.

**Particulars of Offence:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP on the 5<sup>th</sup> December 2020 carried on a business/provided a service other than as permitted by the exceptions listed, namely in that it opened its premises, or part of its premises, known as Walsall Wood Community Football Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, WS9 9NP, for the sale and consumption of food and drink on the premises and being in contravention of Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.



### **Part C. Action Required**

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

- 1 Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and
- 2 Cease providing food or drink for consumption on the premises

### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.

Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**



# Walsall Council

## Environmental Health

Walsall Wood Community Football Club  
Oak Park Football Ground  
Lichfield Road,  
Walsall Wood  
Walsall,  
West Midlands  
WS9 9NP

Your Ref:  
Our Ref: WK/202018145  
Date: 11<sup>th</sup> December 2020  
Please ask for:  
Direct Line: 01922 653366  
E-mail: covid19reporting@walsall.gov.uk

Dear Sir,

### **Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP**

A Prohibition Notice is enclosed in respect of the above premises, or part thereof, which was observed to be open for the sale and consumption of food and drink, in contravention of the above named Regulations.

The enclosed Notice specifically prohibits Walsall Wood Community Football Club from opening its premises, or part of its premises for the sale and consumption of food and drink and providing food or drink for consumption on the premises.

**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader - Environmental Health Officer**

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP  
Tel. 01922 653366



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

### PROHIBITION NOTICE

**Date:** 11<sup>th</sup> December 2020

**Notice Reference:** WK/202018145

#### Part A

**To:** Walsall Wood Community Football Club,

**At:** : Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Of:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Trading as:** Walsall Wood Community Football Club

This Prohibition Notice is served under Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ("the Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

#### Part B. Contravention of the Restrictions

**Regulation Contravened:** Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) to the Regulations.

**Particulars of Offence:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP on the 5<sup>th</sup> December 2020 carried on a business/provided a service other than as permitted by the exceptions listed, namely in that it opened its premises, or part of its premises, known as Walsall Wood Community Football Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, WS9 9NP, for the sale and consumption of food and drink on the premises and being in contravention of Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

### **Part C. Action Required**

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

- 1 Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and
- 2 Cease providing food or drink for consumption on the premises

### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.


Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

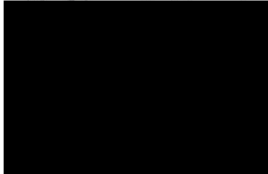
**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**



Walsall Council

## Environmental Health

Justin Hodgkin,



Your Ref:

Our Ref: WK/202018145

Date: 11<sup>th</sup> December 2020

Please ask for:

Direct Line: 01922 653366

E-mail: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

Dear Sir,

**Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground,  
Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP**

A copy of a Prohibition Notice is enclosed in respect of the above premises, or part thereof, which was observed to be open for the sale and consumption of food and drink, in contravention of the above named Regulations.

The enclosed Notice specifically prohibits Walsall Wood Community Football Club from opening its premises, or part of its premises for the sale and consumption of food and drink and providing food or drink for consumption on the premises.

**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

You will also find enclosed for your reference a copy of a letter you received and your email response to the letter regarding a reported breach of The Health Protection (Coronavirus Restrictions) (England) Regulations 2020 on 11<sup>th</sup> April 2020.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

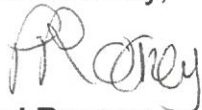
This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader - Environmental Health Officer**

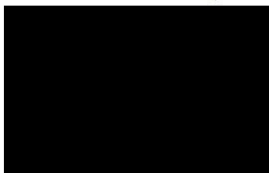
Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP  
Tel. 01922 653366



Walsall Council

## Environmental Health

Mr Justin Hodgin



Your Ref:

Our Ref: WK/202005403

Date: 3<sup>rd</sup> April 2020

Please ask for: P. Rooney

Direct Line:

E-mail: [Environmentalhealth@walsall.gov.uk](mailto:Environmentalhealth@walsall.gov.uk)

Dear Mr Hodgin,

**Public Health (Control of Disease) Act 1984  
The Health Protection (Coronavirus, Restrictions) (England) Regulations  
2020**

**Walsall Wood Community Football Club, Oak Park Football Ground,  
Lichfield Road, Walsall Wood, Walsall, WS9 9NP.**

I am writing further to my visit to the above premises on 12<sup>th</sup> April 2020.

This visit was in response to a notification from the Police that they had attended your premises on Saturday 11<sup>th</sup> April 2020 and had noticed a light was on inside the club house and voices could be heard. It also appeared that you were operating your club house, or part thereof in a manner that contravenes the above Regulations.

It is considered that the business known as Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, is included in Part 1 of Schedule of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. All businesses, or parts thereof, listed in this schedule are legally required to close under current Government emergency restrictions until further notice.

I must ask that you take immediate steps to ensure that your business operations at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall are conducted in such a manner as to comply with all the requirements set out in the above mentioned regulations

---

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel: 01922 653366 Email; [environmentalhealth@walsall.gov.uk](mailto:environmentalhealth@walsall.gov.uk)  @EHWalsall



Should you fail to comply with this request consideration will be given to serving a Prohibition Notice on the business. The penalty for a breach of such Notice is an unlimited fine at Court. As a further measure, and if needed, businesses that fail to comply could also be subject to a Licence Review the outcome of which could be the variation or loss of this premises' licence.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current Regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance>

My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader – Environmental Health**

## Paul Rooney

---

**From:** Justin Hodgkin [REDACTED]  
**Sent:** 20 April 2020 10:53  
**To:** Paul Rooney  
**Subject:** RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

**CAUTION: This email originated from outside of the council. If you have any doubts do not click links or open attachments. You should never be asked to enter your username and password into an external link.**

Dear Mr. Rooney,

Further to your communication attached, I would like the following to be on record.

- 1) On the evening of 12<sup>th</sup> April, the police attended my personal home and spoke to me face-to-face, proving I couldn't be operating the clubhouse of Walsall Wood Community FC and would like this removing from any record.
- 2) The police on this evening also attended the clubhouse before my home at Walsall Wood Community FC and found or saw no evidence of the clubhouse being operated.
- 3) I completely refute the that clubhouse was being operated against any regulations that are enforced and there is no proof to state differently.
- 4) All keys are now with myself and any assistance to either yourselves or the police, I will happily oblige.

Kind regards,

Justin Hodgkin  
Chairman  
Walsall Wood Community FC

**From:** Paul Rooney [mailto:Paul.Rooney@walsall.gov.uk]  
**Sent:** 14 April 2020 15:08  
**To:** Justin Hodgkin | [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooney@walsall.gov.uk](mailto:rooney@walsall.gov.uk)

Disclaimer: IF THIS EMAIL IS MARKED PRIVATE OR CONFIDENTIAL - PLEASE RESPECT THAT AND DO NOT FORWARD IT TO ANYONE ELSE WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR. The information in this message should be regarded as confidential and is intended for the addressee only unless explicitly stated. If you have received this message in error it must be deleted and the sender notified. The views expressed in this message are personal and not necessarily those of Walsall MBC unless explicitly stated. E-mails sent or received from Walsall MBC may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purposes of essential maintenance or

support of the e-mail system. You should also be aware that any email may be subject of a request under Data Protection, Freedom of Information or Environmental Information legislation and therefore could be disclosed to third parties.

E-mail Security: Communication by internet email is not secure as messages can be intercepted and read by someone else. Therefore we strongly advise you not to email any information, which if disclosed to unrelated third parties would be likely to cause you distress. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way. If you want us to respond by email you must realise that there can be no guarantee of privacy.



# Walsall Council

## Environmental Health

Ian James Sylvester  
Walsall Wood Community Football Club  
Oak Park Football Ground  
Lichfield Road,  
Walsall Wood  
Walsall,  
West Midlands  
WS9 9NP

Your Ref:  
Our Ref: WK/202018145  
Date: 11<sup>th</sup> December 2020  
Please ask for:  
Direct Line: 01922 653366  
E-mail: covid19reporting@walsall.gov.uk

Dear Sir,

**Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP**

A copy of a Prohibition Notice is enclosed in respect of the above premises, or part thereof, which was observed to be open for the sale and consumption of food and drink, in contravention of the above named Regulations.

The enclosed Notice specifically prohibits Walsall Wood Community Football Club from opening its premises, or part of its premises for the sale and consumption of food and drink and providing food or drink for consumption on the premises.

**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader - Environmental Health Officer**

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP  
Tel. 01922 653366



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

### PROHIBITION NOTICE

**Date:** 11<sup>th</sup> December 2020

**Notice Reference:** WK/202018145

#### Part A

**To:** Walsall Wood Community Football Club,

**At:** : Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Of:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Trading as:** Walsall Wood Community Football Club

This Prohibition Notice is served under Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ("the Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

#### Part B. Contravention of the Restrictions

**Regulation Contravened:** Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) to the Regulations.

**Particulars of Offence:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP on the 5<sup>th</sup> December 2020 carried on a business/provided a service other than as permitted by the exceptions listed, namely in that it opened its premises, or part of its premises, known as Walsall Wood Community Football Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, WS9 9NP, for the sale and consumption of food and drink on the premises and being in contravention of Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

### **Part C. Action Required**

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

- 1 Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and
- 2 Cease providing food or drink for consumption on the premises

### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.

Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**

## Sayful Alom

---

**From:** Justin Hodgkin | [REDACTED]  
**Sent:** 20 April 2020 10:53  
**To:** Paul Rooney  
**Subject:** RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

**CAUTION: This email originated from outside of the council. If you have any doubts do not click links or open attachments. You should never be asked to enter your username and password into an external link.**

Dear Mr. Rooney,

Further to your communication attached, I would like the following to be on record.

- 1) On the evening of 12<sup>th</sup> April, the police attended my personal home and spoke to me face-to-face, proving I couldn't be operating the clubhouse of Walsall Wood Community FC and would like this removing from any record.
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- 3) I completely refute the that clubhouse was being operated against any regulations that are enforced and there is no proof to state differently.
- 4) All keys are now with myself and any assistance to either yourselves or the police, I will happily oblige.

Kind regards,

Justin Hodgkin  
Chairman  
Walsall Wood Community FC

---

**From:** Paul Rooney [mailto:Paul.Rooney@walsall.gov.uk]  
**Sent:** 14 April 2020 15:08  
**To:** Justin Hodgkin | [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

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## Sayful Alom

---

**From:** Paul Rooney  
**Sent:** 14 April 2020 15:08  
**To:** [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll  
**Attachments:** EH\_warning\_Letter\_PR\_WWCFC\_14\_04\_20.pdf

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

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## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5B)

STATEMENT OF Paul Dominic Rooney

AGE OF WITNESS OVER 18  
(if over 18 enter "over 18")

OCCUPATION OF WITNESS Team Leader – Environmental Health

**This statement consists of 3 pages each signed by me. It is true to the best of my knowledge and belief. I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.**

Dated the 7<sup>th</sup> day of January 2021



*(Signed)*

I am employed by Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP as a Team Leader in Environmental Health. I have been a fully qualified Environmental Health Officer for over 30 years. I am authorised Officer to enforce provisions of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. This statement is in relation to the Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP. Acting on information received, concerning an allegation that the club had breached Regulation 4 of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, which required the closure of any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and the cessation of the sale of food or drink for consumption on its premises during the emergency I visited the club on 11<sup>th</sup> April 2020 at

SIGNATURE .....  .....

## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5(B))

Continuation sheet no. 1:

approximately 10:30 am. I was accompanied by Andrew Woodward and Sonia Iram (Environmental Health Officers). Prior to my visit I had established from Council records that Walsall Wood Community Football Club's Club Premises Certificate (reference WS/CPC/0061) was still subject to a suspension, made under the provisions of Section 92A(1) of the Licensing Act 2003, for a failure to pay the annual fee, which came into effect on 14<sup>th</sup> January 2020. At these premises I met PC Whittaker 20739 and Justin Hodgkin known to me as the Club Chairman. During this visit there was a discussion about the allegations. However, from these discussions it was not possible to confirm whether these Regulations had been breached. I noted during my visit that there was a distinct and "fresh" smell of beer in the bar area of the club house suggesting to me that drink could have been recently consumed on the premises. PC Whittaker made arrangements with Justin Hodgkin to view CCTV footage so that he could make further investigations. On 14<sup>th</sup> April 2020 I sent an email with an attached letter to Justin Hodgkin regarding this matter. I now produce a copy of this email and the attached letter as Exhibit PDR/1. It should be noted that due to an error the letter was incorrectly dated 3<sup>rd</sup> April 2020 instead of its effective date which was 14<sup>th</sup> April 2020. This letter outlined the allegations, advised the Club of its legal obligations under and warned of further possible enforcement actions in respect of breaches of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. Further possible enforcement actions mentioned in the letter included the service of a Prohibition Notice and a Licence Review. The letter also informed Justin Hodgkin that compliance monitoring would be undertaken by Officers of the Council or the Police. On 20<sup>th</sup> April 2020 I received an email from Justin Hodgkin which confirmed receipt of my email, refuting the allegations and informing me that all keys to the club were with him. I now produce a copy of this email as Exhibit PDR/2. On 11<sup>th</sup> December 2020, at approximately 13:50 hours, acting on evidence received from the Police I served a Prohibition Notice Walsall Wood Community Football Club, under the provisions of Regulation 9(2) of The Health Protection



SIGNATURE .....

## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5(B))

Continuation sheet no. 2:

(Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. The Prohibition Notice was in respect of a contravention of Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5<sup>th</sup> December the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. I produce a copy of this Prohibition Notice as Exhibit PDR/3. I served the Prohibition Notice by delivering it by hand to Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP (the Club's Registered Office) and handing it directly to Justin Hodgkin who was in attendance at the premises. I was accompanied by Philip Kelly (Environmental Health Officer). The Prohibition Notice required Walsall Wood Community Football Club to immediately cease the activities giving rise to the contravention. In addition to serving the Prohibition Notices I hand delivered letters to Justin Hodgkin and Ian James Sylvester who are both Directors of Walsall Wood Community Football Club. The letters informed them of the service of and the penalties for failing to comply with the Prohibition Notice. The letters also warned that under Regulation 10 of the Regulations if an offence is proved to have been committed with the consent, connivance or neglect of a Director of a body corporate that Director is guilty and liable for prosecution. I handed directly to Justin Hodgkin the letter addressed to him at 46 Church Road, Pelsall, Walsall, WS3 4QW. I now produce a copy of this letter as Exhibit PDR/4. I also gave Justin Hodgkin a letter addressed to Ian James Sylvester at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, WS9 9NP. Following his receipt of this letter Justin Hodgkin telephoned Ian James Sylvester who I was then able to speak to advise him of the service of the Prohibition Notice and the hand delivery of his letter. I now produce a copy of this letter as Exhibit PDR/5.



SIGNATURE .....



# Walsall Council

## WALSALL COUNCIL PUBLIC HEALTH COVID-19 SUMMARY

At present we are experiencing a global Covid-19 pandemic and a national emergency with many deaths recorded and continuing to occur. With the advent of the new variant of the COVID-19 the cases of infection in the UK are increasing at an unprecedented and alarming rate. Illegal and irresponsible actions/activities such as those encountered when, during a national emergency, Walsall Wood Community Football Club breached The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5th December when it opened its premises, or part of its premises, for the sale or consumption of food and drink could have caused the spread of COVID-19.

It is important to note that Walsall was moved into Tier 4 on 31<sup>st</sup> December 2020 as the number of positive cases had continued to rise. There was a 35% increase in Coronavirus cases between 21<sup>st</sup> to 27<sup>th</sup> December 2020, meaning more than 900 people tested positive for the virus and the rate per 100K of the population was 312.

Walsall's cases are increasing. From 3<sup>rd</sup> to 9<sup>th</sup> January 2021 there were 2119 cases of COVID-19.

On 11<sup>th</sup> January 2021 Walsall's rate of COVID-19 per 100k of the population per week was 826 (almost doubled from previous week).

During the periods 23<sup>rd</sup> to 29<sup>th</sup> December 2020 to and 30<sup>th</sup> December 2020 to 5<sup>th</sup> January 2021 Aldridge North and Walsall Wood Ward had rates of Covid-19 per 100K of the population per week of 475.2 (62 cases) and 1057.6 (138 cases) respectively. The Ward's rate for the period 30<sup>th</sup> December 2020 to 5<sup>th</sup> January 2021 was the highest in Walsall.

Between Thursday 5<sup>th</sup> November 2020 and 2<sup>nd</sup> December 2020, prior to the service of the Prohibition Notice, Walsall, along with England was subject to a second lockdown. National restrictions were imposed where everyone was required to stay at home, and only for a limited set of reasons could you leave the home including:

- For education;
- For work, if you cannot work from home;
- For exercise and recreation outdoors, with your household, support bubble or on your own with one person from another household;
- For all medical reasons, appointments and to escape injury or harm;
- To shop for food and essentials;
- And to provide care for vulnerable people, or as a volunteer.

The second lockdown was introduced as there was a significant increase in the number of positive COVID cases. Although the increases were initially among younger age groups, there was increasing numbers of older people with coronavirus in almost all areas of the country, including Walsall.

The number of hospitalisations started to increase, ultimately leading to a higher mortality rate. Without the lockdown and breaking the chain of transmission between person-to-person the numbers of people dying from Coronavirus would be as high as they were at the peak of the first wave of coronavirus back in April 2020.

## **TRANSITION FROM NATIONAL RESTRICTIONS TO ALERT LEVELS (TIERING SYSTEM)**

The national restrictions ended on the 2<sup>nd</sup> December 2020 and Walsall was moved into Tier 3, the highest COVID-19 category at the time. This meant that the strict restrictions would still be in place including restrictions on meeting people outside, hospitality businesses such as pubs, cafes and restaurants only being allowed to offer takeaway or click and collect service and a rule of six outdoors being imposed.

During the national restrictions there was a reduction in, however the virus continued, to spread in the community. The move to Tier 3 demonstrated that the rate of infection in Walsall was still too high and the restrictive measures were required locally to make sure we reduce the spread further.

A Prohibition Notice was served on Walsall Wood Community Football Club on 11<sup>th</sup> December 2020 following a breach of Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020. This breach occurred when Tier 3 restrictions were in place in Walsall for the purpose of enabling a number of public health measures to be taken to reduce the public health risks posed by the spread of Covid-19.

### **COVID-19 DATA BETWEEN 29<sup>TH</sup> NOVEMBER 2020 TO 5<sup>TH</sup> DECEMBER 2020**

- The rate per 100K was 225, significantly higher than the national and also regional average during this period
- In total 540 people tested positive for COVID-19 this was a 20% reduction from previous weeks. This was expected due to the national restrictions for the four weeks previous. There was a downward trend in case rates nationally and regionally – albeit in Walsall this was slower compared to other areas and Walsall did not see a sharp reduction like other areas in the country.
- During this week Walsall was ranked as 41<sup>st</sup> in the country for the number of cases, at the time this was the highest placing Walsall had been.
- There was a gradual increase in the number of under 35's testing positive. 41% of all cases at this time were aged between 35 – 64
- The mortality rate in Walsall and the Black Country continued to increase
- The NHS was under significant pressure and Walsall Manor hospital remained extremely busy with pressure on ICU.
- The main transmission route in Walsall was household to household meaning people spending time indoors with people outside of their household or recognised support bubble. This was against Tier 3 restrictions
- The rate for the Ward Aldridge North and Walsall Wood was 191 per 100K of the population. This was still higher than the regional average at that time.



Map of new COVID-19 cases from Pillar 1 and 2 testing by LSOA (Lower Layer Super Output Area) overlaid with new outbreaks/clusters in Walsall Past 14 days (November 22 2020 to December 5 2020)

